



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AMENDMENT TRANSMITTAL

8fw
3762
PATENT

Applicants: Rodolfo Padua et al.

Examiner: Schaetzle, Kennedy

Serial No.: 10/027,655

Group Art Unit: 3762

Filed: December 20, 2001

Docket: P-9406.00

Title: Electrically Responsive Promoter System

CERTIFICATE OF MAILING UNDER 37 CFR 1.8: I hereby certify that this **Amendment Transmittal** and the paper(s), as described herein, are being deposited in the U.S. Postal Service, as first class mail, addressed to the Mails top Amendment, P.O. Box 1450, Commissioner for Patents, Alexandria, VA 22313-1450 on this 28 day of February, 2005.

Juanita I. Trauffer
Juanita I. Trauffer

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Amendment Transmittal
☒ Response to Notice of Non-Compliant Amendment (37 CFR 1.121)
☒ Pending Claims as Amended (Marked Up Version)
☒ Return Postcard

FEE CALCULATION

CLAIM AMENDMENT(S)	Claims Remaining After Amendment	Highest Number Previously Paid For	Add'l Claims	Rate	Fee
Total Claims	30 -	52 =		x 50	\$00.00
Independent Claims	3 -	5 =		x 200	\$00.00
Multiple Dependent Claims	Yes	4		+ 360	\$
TOTAL					\$00.00

Applicant hereby petitions for a _____ month extension of time in the prior application. If an additional extension of time is required, please consider this a petition therefor;

Charge Deposit Account No. 13-2546 the sum of \$

\$180.00 pursuant to 37 CFR §1.97(c) without 37 CFR §1.97(e) certification

☒ Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Amendment Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

☒ Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

Date

February 28, 2005

Kenneth J. Collier
Kenneth J. Collier, Reg. No. 34,982
Customer Number 27581
Telephone: (763) 505-2521



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Medtronic Inc.

By Juanita I. Traufler
Juanita I. Traufler

Date Feb. 28, 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) :	Rodolfo Padua et al)	
Serial No. :	10/027,655)	
Filed :	December 20, 2001)	Group Art Unit:
)	3762
For :	Electrically Responsive Promoter System)	Examiner:
)	Schaetzle, Kennedy
Docket No. :	P9406.00)	

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants had previously filed on July 4, 2004, their election to the original restriction requirement of 30 June 2004 to the above-cited application. The amendment filed was considered to be non-compliant because it had failed to meet all the requirements of 37 CFR 1.121. The only section of the non-compliant amendment that was required to be resubmitted (in its entirety) was the section "Amendments to the claims."

Serial No. 10/027,655

In Applicants original document in the "Amendments to the Claims" section it was found Claim 44 was not listed and the proper status of claims 5 and 6 were incorrectly given (they should be withdrawn and not marked as original). Applicants submit herewith a corrected listing of claims with the requested changes.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth J. Collier", is written over a horizontal line.

Kenneth J. Collier
Attorney/Agent for Applicant(s)
Registration No. 34,982
Customer Number 27581
Phone: 763-505-2521

Rev. 11/00